

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

KLEIN TOOLS, INC., Successor in	:	
Interest to GRIP-IT CORPORATION	:	
7200 McCORMICK BOULEVARD	:	
SKOKIE, IL 60076,	:	
	:	
Plaintiff,	:	CIVIL ACTION
	:	CASE NO.
vs.	:	
	:	
ETTA M. LAIRD	:	
764 AZALEA LANE, LOT 5B	:	
GAP, PA 17527-9641,	:	
	:	
Defendant.	:	

**CIVIL COMPLAINT FOR MONEY DAMAGES**

Plaintiff Klein Tools, Inc. ("Klein Tools"), by and through its counsel White and Williams LLP, for its Complaint for Money Damages against defendant Etta M. Laird ("Laird") hereby states as follows:

**PARTIES**

1. Klein Tools, Inc. is a citizen of the State of Delaware being a corporation incorporated under the laws of Delaware and a citizen of the State of Illinois having its principal place of business in Illinois.

2. Laird is a citizen of the Commonwealth of Pennsylvania since she resides in Gap, Pennsylvania in this District.

**JURISDICTION**

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3. Jurisdiction is proper in this Court because of the diversity of citizenship of the parties and because the amount in controversy exclusive of interest and costs is in excess of \$75,000 under 28 U.S.C. §1332(a).

**VENUE**

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4. Venue is proper in the United States District Court of the Eastern District of Pennsylvania because the defendant resides in this district and because the parties did business for years in this district.

**BACKGROUND**

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5. Klein Tools is the successor-in-interest to Grip-It Corporation.

6. Laird is the successor-in-interest under certain license agreements and amendments thereto entered into from time-to-time since 1978 between J.L. Laird, Jr. and Grip-It Corporation ("license agreements").

7. J.L. Laird, Jr. is deceased.

8. Etta M. Laird is his legal representative and heir.

9. J.L. Laird was an inventor who obtained several patents patenting inventions concerning technical information and know-how relating to chain or strap wrenches and pliers, pipe vises, hydraulic joint breakers and plumbing or pipe fitting tools ("the patents").

10. Pursuant to a series of license agreements, Laird licensed his interventions to Grip-It Corporation and became entitled, from time-to-time, to be paid royalties.

11. Upon J.L. Laird's death, Etta M. Laird became entitled to receive the royalties that otherwise would have been due to her late husband under the license agreements.

12. Laird's right to receive royalties, and Klein Tools' obligation to pay royalties lapsed when the patents expired.

13. The last patent expired in 1997.

**MONEY PAID BY MISTAKE**

14. Nonetheless, from on or about 1997 through November 28, 2001, Klein Tools mistakenly continued to pay royalties to Laird under the licensing agreements.

15. Around November 28, 2001, Klein Tools discovered its mistake and wrote to Laird asking her to return the sum of \$105,530 which was mistakenly paid to her between 1997 and 2001.

16. Laird refused.

17. Under the circumstances, Laird owes Klein Tools \$105,530 for money paid by Klein Tools to Laird by mistake between 1997 and 2001 plus legal interest from November 28, 2001 forward.

WHEREFORE, Klein Tools demands that judgment be entered in favor of Klein Tools and against Etta M. Laird in an amount of \$105,530 plus interest at the legal rate from November 28, 2001 until the date of collection.

Respectfully submitted,

WHITE AND WILLIAMS LLP

BY:

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Attorneys for Plaintiff  
Klein Tools, Inc.

DATE:

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